

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SEAN LAMOUNT MOTON

v.

OFFICER BRANDON HARRIS et al

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CIVIL ACTION NO. 19-5014

ORDER

This 4th day of August, 2021, for the reasons set forth in the accompanying Memorandum, it is hereby **ORDERED** that Plaintiff's Second Motion for Leave to File Second Amended Complaint (ECF 52) is **GRANTED in part and DENIED in part**. Plaintiff shall file a Second Amended Complaint that conforms with the Court's memorandum allowing a supplemental state law claim for assault and battery. Defendants are not required to file an amended answer to the Second Amended Complaint, as Defendants' previous Answer will be deemed to assert a denial of the additional claims.

It is further **ORDERED** as follows:

1. Plaintiff's Motion to Withdraw his First Motion for Leave to File Second Amended Complaint (ECF 51) is **GRANTED**.
2. Plaintiff's First Motion for Leave to File Second Amended Complaint (ECF 48) is **DENIED as moot**.
3. Plaintiff's Motion for Extension of Time to Complete Discovery (ECF 56) is **DENIED**, provided, however, that Plaintiff may supplement the record with additional medical records and reports, as necessary, with Defendant allowed the opportunity to respond.

/s/ Gerald Austin McHugh
United States District Judge